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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,813	03/30/2001	Randolph E. Treur	LAM2P247	6643
25920 7590 01/16/2004 MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			EXAMINER STINSON, FRANKIE L	
			ART UNIT 1746	PAPER NUMBER

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/823,813	Applicant(s) TREUR, RANDOLPH E.	
	Examiner FRANKIE L. STINSON	Art Unit 1746	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: 23-31

Claim(s) objected to: 20

Claim(s) rejected: 17-19, 21 & 22

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


 FRANKIE L. STINSON
 Primary Examiner
 Art Unit: 1746

Continuation of 5. does not place the application in condition for allowance because" Applicant argues that the cited references are not combinable in that the prior art has not suggested the desirability of the modification. Therefore, in regard to the remarks on the of claim 17, please note that Japan'627 was cited disclosing a wafer preparation module ("preparation" has been reasonably/broadly defined as, "provision by which one prepares something", Random House College Dictionary, 1980) comprising wafer engaging rollers ("engaged", defined as" to attract or hold") oriented at an angle between 0 to 90 degrees, with the wafer engaging rollers designed to spin the wafer during at the angle during preparation. Japan'627 only fails to teach an enclosure. Japan'282 and Japan'658 were merely cited to teach an old and well known concept of providing an enclosure to contain liquid cast-off by the spinning wafer and the prevention of contamination (as is common) and as usually required in the art. While not implicitly described, the teachings are at least suggestive. Also note that Japan'282 specifically describes the enclosure (1) as a "cup" and in the art of treating semiconductor wafers, this refers to a catch cup and this enclosure feature was the only modifying feature used by the examiner. Applicant's arguments pertaining to the spinning and liquid applying arrangements of Japan'282 and Japan'658 are therefore immaterial. In further regard to applicant's use of the term "engaged", it appears that since applicant has a shiftable/movable engaging roller, this is a more limited definition, the roller may best be claimed as a clamping or shifting engaging roller. In regard to the EPO'713 reference, it is agreed that the same fails to teach orienting the wafer at an angle as claimed, but the wafer is engaged based upon the broader definition. Also note the EPO'713 was merely cited to teach the use of a megasonic nozzle. The orientation of the roller is therefore immaterial. In regard to the remarks on Japan'599, namely that the same same is held horizontally and could not suggest the change of orientation, please note that this is correct, however note that Japan'599 was never cited to teach such. Japan'599 was merely cited to teach all of the subject matter of claim 17 with the exception of the orientation. Japan'627 was used as a modifying reference to teach this limitation. As for changing the orientation of the cassettes as argued, please note that it appears that Japan'599 does not disclose any cassette and the same is considered conjecture. Note that it is not the intention to bodily incorporate the features of one reference onto the other, but simply to show what the combination of the references make obvious to one of ordinary skill in the art. This is also applicable to the remarks on the rejection employing the Maekawa, Tomita, and Ito references. As for the missing Sawada et al. references (U. S. Pat. No. 6,012,192) was provided by the applicant with the IDS filed July 31, 2003.



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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

FRANKIE L. STINSON
Primary Examiner
Art Unit: 1746